

DANIEL G. BOGDEN
United States Attorney
District of Nevada

MICHAEL A. HUMPHREYS
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Telephone: 702-388-6336
Facsimile: 702-388-6787
Email: Michael.Humphreys@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	Case No. 2:11-CR-434-LDG-(PAL)
)	
Plaintiff,)	
)	
v.)	
)	Stipulated Motion to Continue Discovery
EDUARD PETROIU, <i>et. al.</i> ,)	(Fifth Request)
)	
Defendants.)	
)	

COME NOW the parties who stipulate and jointly move this Court to continue the discovery cut-off in the above-captioned case until April 30, 2017. The Government has already engaged in extensive 'paper' discovery including propounding interrogatories and requests for production of documents on the Petitioners, which have been, mostly, answered by the Petitioners.

The principal issue in this litigation is whether the Petitioners purchased a parcel of real property located at 4225 Dover Place, Las Vegas, Nevada with legitimate assets or, as alleged by the Government, were funds derived in whole or in part from fraudulent acts which were the

1 subject of the above-referenced criminal indictment. Several individuals were convicted and
2 sentenced, including Delyana Nedyalkova, the daughter of the Claimants, Atanas and Mariya
3 Nedyalkova. Delyana Nedyalkova lived in the Dover Place residence with the Petitioners
4 during the relevant time period that criminal acts leading to ill-gotten gains were underway.
5 Specifically, the Government alleges fraudulent proceeds were used to acquire the residence in
6 whole or in part. The illicit funds were derived from a conspiracy involving all of the convicted
7 defendants named in the indictment who were running an internet fraud scam; offering to sell
8 cars, trucks, boats and other conveyances, which the conspirators did not own, to an
9 unsuspecting public, the latter of which paid good and valuable consideration for the cars and/or
10 trucks, etc., that they did not receive from the defendants.

11 Since filing the most recent motion to continue discovery, on or about December 5, 2016,
12 the parties have substantially-completed documentary discovery and depositions. Specifically,
13 the petitioners have turned over hundreds of pages of bank records and the Government has
14 conducted several days of depositions in connection with that paper discovery.

15 Discovery is not yet complete in that the petitioners have agreed through counsel to
16 provide the government with the petitioners' tax returns for the relevant years of 2005 through
17 2009. Once the Government has had the opportunity to review those tax returns it may conduct
18 further limited depositions or, alternatively, it may facilitate settlement discussions.

19 Counsel for the petitioners, Boris Avramski, consents to this motion.

20 Given the foregoing, the parties have agreed to request that this Court extend the
21 discovery cut-off deadline in this matter until April 30, 2017.

22 This motion is not submitted solely for the purpose of delay or for any other improper
23 purpose.

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26 ///

1 WHEREFORE, the parties move this Court to grant a continuance of the discovery cut-
2 off date until April 30, 2017, for the parties to complete discovery.


3 Dated this 28th day of February 2017.

4 Respectfully submitted,

5 DANIEL G. BOGDEN
6 United States Attorney

7 /s/Michael A. Humphreys
8 MICHAEL A. HUMPHREYS

9
10 IT IS SO ORDERED:

11 
12 UNITED STATES DISTRICT JUDGE
13 Lloyd D. George
14 DATED: 2nd March 2017